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8 **UNITED STATES DISTRICT COURT**
DISTRICT OF NEVADA

9 ANNA LOVELESS,

10
11 Plaintiffs,

12 Vs.

CASE NO.: 2:21-cv-00536-APG-MDC

13 WALMART, INC,

14 Defendant.

15 **PLAINTIFF'S MOTION TO EXTEND DEADLINE**
TO SUBMIT JOINT PRETRIAL ORDER
16 **(FIRST REQUEST)**

17 Pursuant to LR IA 6-1 and LR 26-3 and FRCP 26, plaintiff, by and through her counsel
18 respectfully submit this motion for an extension of time to submit the Joint Pre-Trial Order by a
19 period of fourteen (14) days. No other extension or continuance is sought by this motion. This is
20 the first request for such an extension and follows the court's order of February 26, 2024 (Doc.
21 No. 53) setting March 15, 2024 as the Joint Pre-Trial Order filing date.
22

23 Dated this 15th day of March 2024.

24 STOVALL & ASSOCIATES

25 */s/ Ross Moynihan*

26 ROSS H. MOYNIHAN, ESQ.
27 Nevada Bar No. 11848
2301 Palomino Lane
28 Las Vegas, Nevada 89107
Attorney for Plaintiff

DECLARATION OF COUNSEL IN SUPPORT OF MOTION

Ross Moynihan, Esq. declares and states as follows:

1. I am counsel for the plaintiff in this matter.

2. The joint pretrial order filing date was set for February 12, 2024, which the parties missed.

3. The court then ordered the parties to file the joint pre-trial order by March 15, 2024.

4. By this motion, I request a further 14 days for the parties to file the joint pre-trial order.

5. The reason for the requested extension on the plaintiff's side is due to a series of illnesses I suffered from October 2023 to January 2024, and following that, a leave of absence from work that I was required to take throughout the month of February 2024.

6. Specifically related to the illnesses, from October 2023 to January 2024, I suffered a series of respiratory infections that caused me to be absent from work for several weeks throughout the months of October, November, and December, and caused me to have to reschedule work in other cases into the months of December 2023 and January 2024, which is all work that would have otherwise been completed by the end of 2023. This was then followed by my leave of absence in February 2024. Both events resulted in my missing the joint pretrial order date and have caused my need to request a further extension from the court.

7. I attempted by email and telephone to communicate with defense counsel throughout the morning and afternoon of March 15, 2024 regarding the joint pretrial order but was unable to reach either lawyer working on his case for defense.

1 8. I currently have a working draft of the pretrial order but it, of course, requires the
2 defendant's input before it can be completed. The additional time requested is so that the parties
3 can work together and complete the document.

4
5 26. This request is not made for the purpose of delaying these proceedings.

6 27. I declare under penalty of perjury pursuant to the laws of the state of Nevada that
7 the foregoing is true and correct.

8 Executed on this 15th day of March 2024.

9
10 /s/ Ross Moynihan

11 ROSS MOYNIHAN, ESQ.
12 Nevada Bar No. 11848

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14 **MEMORANDUM OF POINTS AND AUTHORITIES**

15 **1. Discovery Completed to Date**

16
17 Discovery is now closed. The parties exchanged initial and supplemental disclosures. The
18 parties propounded written discovery in the form of interrogatories, admissions, and requests for
19 production of documents. The parties engaged in deposition discovery and exchanged initial and
20 rebuttal expert disclosures.

21 **2. Discovery to Be Completed**

22 None.

23 **3. Reasons Why Counsel Requests the Extension to Submit the Pre-trial Order**

24 For the sake of brevity, plaintiff incorporates herein by this reference the above
25 declaration of counsel, which plaintiff submits presents good cause for the extension of the
26 instant deadline.
27
28

1 **4. Proposed Schedule for Completion of Outstanding Discovery**

2 Proposed Consolidated Pre-Trial Order March 29, 2024

3 Dated this 15th day of March 2024.


4 STOVALL & ASSOCIATES

5 /s/ Ross Moynihan

6 _____
7 ROSS H. MOYNIHAN, ESQ.
8 Nevada Bar No. 11848
9 2301 Palomino Lane
 Las Vegas, Nevada 89107
 Attorney for Plaintiff

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13 **ORDER**

14 **IT IS SO ORDERED.**

15
16
17 
18 _____
19 **Maximiliano D. Couvillier III**
20 **United States Magistrate Judge**
21 Date: March 26, 2024

22
23 **CERTIFICATE OF SERVICE**

24 I hereby certify that on the 15th day of March 2024 I caused the foregoing motion to be
25 served on the parties in this case through the court's electronic filing system.

26 /s/ Ross Moynihan

27 _____
28 An employee of Stovall & Associates